

Serial No. 09/664,460
Art Unit No. 2684

REMARKS

Claims 1-11, 18-20, 22 and 23 are pending in the patent application. The Examiner has rejected Claims 1-11, 22, and 23 under 35 USC 103 as unpatentable over Antonello in view of Cook; and, Claims 18-20 under 35 USC 103 as unpatentable over the teachings of Antonello in view of Cook and further in view of Chambers. For the reasons set forth below, Applicants respectfully assert that all of the pending claims are patentable over the cited prior art.

The Antonello patent discloses a system and method for transmitting metering pulses with rate information to a wireless public call office (PCO). A local exchange is wired to a wireless local loop which transmits wireless signals to subscribers' remote wireless devices, including PCOs and public pay phones. Each subscriber has a dedicated wireline at the local exchange (see: Col. 4, lines 5-6). The local exchange determines the rate (i.e., cost per unit time) for a call and sends it on the dedicated landline (Col. 4, lines 19-21) to the wireless local loop, which transmits it over the forward voice channel to the wireless device (see: Col. 4, lines 38-44). The local exchange will further provide

YOR920000625

-9-

Serial No. 09/664,460
Art Unit No. 2684

rate and metering change information to the wireless local loop when the rates change.

Applicants had previously argued that the Antonello patent provides no teachings regarding the claim features of means for associating a single called telephone number with at least two wireless devices; means for alerting the at least two wireless devices associated with the called telephone number of a first incoming call; means for accepting one of said wireless devices as the answerer of said first incoming call to conduct the first incoming call with said wireless device; and means for transmitting a second incoming call, directed to the called telephone number, to one of the other wireless devices associated with that telephone number whilst the first call is in progress, which are expressly recited in all of the pending claims.

While the Examiner has reiterated the previous rejection language, found at the bottom of page 2 of the Office Action, and has cited the same Antonello passages against the claim language, the Examiner has also stated that Antonello does not disclose a method of associating a single number with at least two wireless devices, mean of alerting the user with the single number of an incoming

YOR920000625

-10-

Serial No. 09/664,460
Art Unit No. 2684

call, means for accepting one of the wireless devices as the answerer to the first incoming call, and means for directing a second incoming call to the same single number to one of the other wireless devices while the first call is in progress, and has cited the Cook patent. Applicants will first address the Examiner's citation of the Antonello teachings against the claim language and will then address the Cook patent teachings.

The Antonello patent does not teach or suggest that multiple incoming calls to a subscriber number be directed to different wireless devices associated with the one subscriber number. The Examiner has cited the teachings found at Col. 3, line 59-Col. 4, line 4 against the claimed associating a called number with at least two wireless devices. However, the cited Antonello passages do not teach or suggest such associating. Contrary to what the Examiner has stated, Antonello does not provide means to associate a called number with more than one wireless device. Rather, Antonello has each subscriber number dedicated to a particular wireline and Antonello has the wireless local loop transmit radio signals which the subscribers use to determine if the signal information is for them (see: Col.

YOR920000625

-11-

Serial No. 09/664,460
Art Unit No. 2684

4, lines 1-2). The subscriber monitoring is the only "alerting" that Antonello provides for informing a subscriber of a call. The cited passages describe modulating a signal to provide the rate/metering information, but such is not the same as or suggestive of the claimed means for alerting at least two wireless devices associated with a single called telephone number of a first incoming call. Finally, Antonello provides no teaching or suggestion regarding means for accepting one wireless device as the answerer of a first incoming call to the subscriber number and means for transmitting a second incoming call to the same subscriber number to a different wireless device. Since Antonello has dedicated wirelines for each subscriber number, the claimed means is not even possible in Antonello. Accordingly, Applicants respectfully assert that Antonello does not teach the claim features which the Examiner addresses in paragraph 1 on page 2 of the Office Action.

Applicants further assert that the Cook patent does not teach that which is missing from the Antonello patent. The Examiner has cited Cook for teaching a "method of associating a single number with the at least two devices and means of (sic) alerting the user with the single number

Serial No. 09/664,460
Art Unit No. 2684

of a first incoming call, means for accepting one of the said (sic) devices as the answerer to the first incoming call and means for directing the second incoming call to the same single number to one of the other devices associated with that telephone number while the first call is in progress." The Examiner has cited the Cook teachings found at Col. 7, lines 35-46 and Col. 9, lines 29-32.

What the Cook patent teaches is a system that can dynamically assign interfaces to a wireline network and can assign wireline customers/subscribers to interfaces on a call-by-call basis according to the call features to which the subscriber has subscribed. Under Cook, a subscriber's call is assigned to an interface that has been predefined as an interface to handle calls for subscribers entitled to certain calling features (e.g., three way calling, call forwarding, and call waiting). If too many calls come in for similarly-featured interfaces, the system can dynamically re-provision the interfaces to associate a greater number of interfaces to certain subscriber call features. The cited teachings from Col. 7, lines 35-46 describe assigning lines for a single telephone call between a wireless handset 40 and a wireline-connected telephone 14

YOR920000625

-13-

Serial No. 09/664,460
Art Unit No. 2684

of Fig. 2. While Cook does teach two telephones associated with the single call, one of the telephones (e.g., the handset 40) is the call initiator that dials the single telephone number and the other (e.g., telephone 14) is the call recipient at the single dialed telephone number. Cook is not teaching that one call is directed to either handset 40 or telephone 14. Rather, Cook is teaching that handset 40 initiates a single call to the single telephone number associated with telephone 14, or vice versa, and the interfaces between the two telephones are dynamically assigned to connect the single call (see: Col. 3, lines 43-55). Clearly Cook is not teaching or suggesting multiple calls to a single telephone number with different calls being directed to different devices associated with the same number.

The additionally-cited Cook patent teachings found at Col. 9, lines 29-32 state that the Cook invention also applies to a fixed wireless local loop (WLL) application in which the subscriber receives wireline services rather than wireless services via a radio link. Applicants fail to see how that cited passage relates to the claim language. Regardless of whether the Cook subscriber receives wireline

Serial No. 09/664,460
Art Unit No. 2684

services or wireless services, Cook still does not teach or suggest means for associating a single called telephone number with at least two wireless devices; means for alerting the at least two wireless devices associated with the single called telephone number of a first incoming call from an originating device which is not one of the at least two wireless devices associated with the single called telephone number; means for accepting one of said wireless devices as the answerer of said first incoming call to conduct the first incoming call with said wireless device; and means for transmitting a second incoming call, directed to the same single called telephone number, to one of the other wireless devices associated with that telephone number whilst the first call is in progress. While Applicants believe that the claim language as previously presented was not obviated by the combination of references, Applicants have nonetheless amended the language of independent Claim 1 in order to highlight the fact that an incoming call is from a device other than the two wireless devices associated with the single telephone number, as distinguished from Cook's call between two devices, telephone 14 and handset 40.

YOR920000625

-15-

Serial No. 09/664,460
Art Unit No. 2684

Under U. S. Patent Law, obviousness can only be established based on some teaching or suggestion in the body of art existing at the time of the invention. Since neither Antonello patent nor the Cook patent teaches or suggests the network node device as now claimed, including means for associating a called telephone number with at least two wireless devices, means for alerting the at least two wireless devices associated with the single called telephone number of a first incoming call from an originating device other than the at least two wireless devices associated with the called telephone number, means for accepting one of said wireless devices as the answerer of said first incoming call to conduct the first incoming call with said wireless device, and means for transmitting a second incoming call, directed to the same single called telephone number, to one of the other wireless devices associated with that same single telephone number whilst the first call is in progress, it cannot be maintained that the combination obviates the invention as claimed. Accordingly, Applicants request withdrawal of the rejections based on a combination of teachings from Antonello and Cook.

YOR920000625

-16-

Serial No. 09/664,460
Art Unit No. 2684

With respect to claims 18-20, Applicants refer to the arguments presented above with respect to the combination of teachings from the Antonello and Cook patents. Applicants further note that the Chambers patent does not provide those teachings which are missing from the combination of Antonello and Cook. The Chambers patent discloses a system for connecting telecommunications lines to telephones, handsets, computers and other end user interfaces or consumer electronics devices in a residence or business. Chambers does not, however, teach or suggest the invention as set forth in Claim 1, and in Claims 18-20 which depend directly therefrom. The Chambers patent does not provide a network node device comprising one or more connections to one or more telephone wirelines for receiving incoming calls each specifying a telephone number; one or more wireless signal generators supporting one or more direct wireless connections to one or more wireless devices; one or more controllable interconnections between the telephone wirelines and the wireless signal generators; means for associating a single called telephone number with at least two wireless devices; means for alerting the at least two wireless devices associated with the single called telephone

YOR920000625

-17-

Serial No. 09/664,460
Art Unit No. 2684

number of a first incoming call from an originating device which is not one of the at least two wireless devices; means for accepting one of said wireless devices as the answerer of said first incoming call to conduct the first incoming call with said wireless device; and means for transmitting a second incoming call, directed to the same single called telephone number, to one of the other wireless devices associated with that same single telephone number whilst the first call is in progress, as is now recited in Claim 1, and in Claims 18-20 which include all of the limitations of Claim 1. While the Chambers patent may provide power supply teachings, that alone is not sufficient to obviate the claims which include all of the limitations of Claim 1.

Based on the foregoing amendments and remarks, Applicants respectfully request entry of the amendments, withdrawal of the rejections, and allowance of the claims.

Respectfully submitted,
R. E. Chapman, et al

By: Anne Vachon Dougherty
Anne Vachon Dougherty
Registration No. 30,374
Tel. (914) 962-5910

YOR920000625

-18-